

Accreditation Committee

Terms of Reference

Adopted by the Council of the Law Society of Western Australia on 24 July 2024 (C240724C10)

1. Definitions

- 1.1 **Accredited Specialist** means a person accredited by the Law Society as a Specialist in a specific area of practice having satisfied the qualifying requirements contained within the Accreditation Rules.
- 1.2 **Accreditation Advisory Subcommittee** means an advisory subcommittee established in a specific area of practice to advise and assist the work of the Committee.
- 1.3 **Bylaws** means the bylaws of the Law Society made under Rule 121 of the Constitution for the regulation of Committees established under Rule 66 of the Constitution.
- 1.4 **Committee** means the Accreditation Committee.
- 1.5 **Committee Member** means a person appointed by the Council to the Committee and includes a person attending a committee meeting as an observer or as an ex-officio member.
- 1.6 **Constitution** means the Law Society of Western Australia Constitution as amended from time to time.
- 1.7 **Council** means the Council of the Law Society.
- 1.8 **General Manager** means the general manager employed by the Law Society who has responsibility for the administration of the Committee.
- 1.9 **Law Society** means the Law Society of Western Australia.
- 1.10 **Practising Certificate** means a current practising certificate issued by the Legal Practice Board of Western Australia pursuant to the *Legal Profession Uniform Law (WA)* authorising a person to engage in legal practice in Western Australia.
- 1.11 **President** means the President of the Law Society of Western Australia.
- 1.12 **Rules** means Specialist Accreditation Rules.
- 1.13 **Scheme** means the Specialist Accreditation Scheme adopted by the Council
- 1.14 **Vice President** means a Vice President of the Law Society of Western Australia.

2. Objects

- 2.1 The Committee is a Standing Committee of the Law Society for the purpose of providing a source of specialist assistance to the work of the Council and Law Society.

3. Governance

- 3.1 The Committee is governed by the Bylaws as amended from time to time.

4. Membership

- 4.1 Committee membership is governed by the Bylaws.
- 4.2 The Committee will consist of a minimum of seven (7) and a maximum of ten (10) (excluding the President) members all to be appointed by Council and will comprise of:
 - 4.2.1 at least two (2) members from each of the established Accreditation Advisory Subcommittees all of whom hold current membership of the Law Society and practising certificates, and
 - 4.2.2 a Vice President of Council, and
 - 4.2.3 at least two (2) senior academics or legal practitioners with experience in the design and/or implementation of educational assessment.
- 4.3 The President is an *ex officio* member of the Committee.
- 4.4 A majority of Committee members must be Accredited Specialists or able to demonstrate a significant understanding of a specific area of practice in which specialist accreditation is offered by the Law Society.
- 4.5 Appointment to the Committee is for a term of four (4) years.
- 4.6 Committee members must declare any conflicts of interest known to them and must maintain strict confidentiality at all times.

5. Functions

- 5.1 The Committee provides advice to the Law Society on:
 - a) the specific areas of practice in which specialist accreditation should be offered;
 - b) the Rules that govern the granting of specialist accreditation in Western Australia by the Law Society;
 - c) the Scheme in accordance with the Rules adopted by the Council;
 - d) the biennial specialist accreditation assessment programmes;
 - e) the Continuing Legal Education (CLE) required by Accredited Specialists;
 - f) the appointments to the Accreditation Advisory Subcommittees in relation to each specific area of practice; and
 - g) the re-accreditation and auditing of accredited specialists in Western Australia.

6. Powers

- 6.1 The Committee may establish subcommittees to refer a matter and provide specialist knowledge to the Committee.

7. Meetings

- 7.1 The Committee will meet at least every two (2) months unless the Chair in consultation with the General Manager agrees otherwise.

8. Confidentiality

- 8.1 Confidential information provided to the Committee is not to be disclosed to any third party or beyond the particular purposes for which such information is made available in accordance with Council Policy CP04.06.

9. Interpretation

- 9.1 In the event of any inconsistency between any of the following documents, the relevant document first listed below will prevail:
- (a) the Constitution.
 - (b) the Bylaws.
 - (c) these Terms of Reference.